

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MASSACHUSETTS
FIRST SUPPLEMENT TO ORIGINAL COMPLAINT

EDITH KOLTIN,
THEODORE KOLTIN,
HAROLD KOLTIN,
PLAINTIFF

05-11119 PBS

V.
FALL RIVER POLICE DEPARTMENT ET AL

ADDITIONAL DEFENDANTS AND ADDITIONAL COUNTS

ADDITIONAL DEFENDANTS:

115. THE DEFENDANT OFFICE OF THE SECRETARY OF THE COMMONWEALTH HAS AN ADDRESS OF 1 ASHBURTON PLACE, BOSTON, MA 02108, IN SUFFOLK COUNTY.
116. THE DEFENDANT SECRETARY OF THE COMMONWEALTH, WILLIAM GALVIN, HAS AN ADDRESS OF 1 ASHBURTON PLACE, BOSTON, MA 02108, IN SUFFOLK COUNTY.
117. THE DEFENDANT SUPERVISOR OF PUBLIC RECORDS OF THE COMMONWEALTH, ALAN COTE, HAS AN ADDRESS OF 1 ASHBURTON PLACE, BOSTON, MA 02108, IN SUFFOLK COUNTY.
118. THE DEFENDANT ATTORNEY GENERAL OFFICE OF THE COMMONWEALTH HAS AN ADDRESS OF 1 ASHBURTON PLACE, BOSTON, MA 02108, IN SUFFOLK COUNTY.
119. THE DEFENDANT ATTORNEY GENERAL OF THE COMMONWEALTH, THOMAS REILLY, HAS AN ADDRESS OF 1 ASHBURTON PLACE, BOSTON, MA 02108, IN SUFFOLK COUNTY.
120. THE DEFENDANT ASSISTANT ATTORNEY GENERAL OF THE COMMONWEALTH, KURT SCHWARTZ, HAS AN ADDRESS OF 1 ASHBURTON PLACE, BOSTON, MA 02108, IN SUFFOLK COUNTY.

ADDITIONAL FACTS/COUNTS:

134. ON JUNE 11, 2000, POLICE INCIDENT NUMBER 52033 CONTINUES TO REFER TO PLAINTIFF EDITH KOLTIN AS "SO PURPLE," FALL RIVER POLICE CODE FOR "MENTALLY ILL AND VIOLENT," AND THEN ADDING: "I THINK SOMEONE HAS TO DO SOMETHING REGARDING THIS WOMEN [sic] SHE REALLY IS SO P... OFFICER STROJNY WILL BE TAKING [sic] CARE OF THIS," THIS MARKED THE ESCALATION OF POLICE AND OTHERS' THREATS, INTIMIDATION, AND HARASSMENT OF THE PLAINTIFFS, SUCH ACTIONS INCLUDING, BUT NOT LIMITED TO, GRAPHIC ANONYMOUS DEATH THREATS ON ANSWERING MACHINE MESSAGES, VIA THE UNITED STATES POSTAL SERVICE ON EACH OF THE PLAINTIFFS. OFFICERS NAMED IN "CURRENT RECORD" INCLUDE K. NILES, C. YELLE, AND STROJNY.
135. ON JUNE 25, 2002, POLICE INCIDENT NUMBER 2060182 CLAIMS THAT PLAINTIFF EDITH KOLTIN CALLED SOMERSET (MA) POLICE DEPARTMENT TO FILE COMPLAINT AGAINST NINA WALTERS "BECAUSE WE DO NOT ASSIST HER." YET AGAIN, PLAINTIFF EDITH KOLTIN IS DESCRIBED IN FALL RIVER "CURRENT RECORD" AS "SHE SOUNDS VERY SC.P." DESPITE FACT THAT PLAINTIFF EDITH KOLTIN SAID, AGAIN THAT SHE DID NOT WANT FALL RIVER POLICE DEPARTMENT NEAR HER HOUSE, SOMEWHERE BETWEEN THREE (3) AND SIX (6) POLICE OFFICERS IN THE FALL RIVER POLICE DEPARTMENT BECAME INVOLVED WITH THE PLAINTIFF EDITH KOLTIN, INCLUDING, BUT NOT LIMITED TO, SHOWING UP AT HER RESIDENCE AND BANGING LOUDLY ON HER DOORS AND WINDOWS. POLICE OFFICERS NAMED IN "CURRENT RECORD" AS PARTICIPATING IN THIS INCIDENT INCLUDE S. CORREIA, D. CONSEN, B. SULLIVAN, C. FREITAS, B. ROJANE, AND SERGEANT O'CONNELL.
136. ON JULY 20, 2002, POLICE INCIDENT NUMBER 2070303 STATES THAT PLAINTIFF EDITH KOLTIN CALLED "911" SAYING [sic] THAT SHE WANTS FIRE DEPT. BECAUSE OF THE POISONOUS SMELL IN HER HOUSE, NAMING NINA WALTERS AGAIN AS THE PERPETRATOR WHO, AGAIN, "SPRAYED THROUGH HER WINDOW." THE RECORD INDICATES THAT THE COMPLAINT "WANTS FIRE DEPARTMENT... SHE DOESN'T WANT THE POLICE THERE AND IF THEY GO THERE SHE IS NOT LETTING THEM IN." YET AGAIN, DESPITE THE FACT THAT IT IS RECORDED

THAT THE COMPLAINANT WANTS THE FIRE DEPARTMENT, AND DOES NOT WANT THE POLICE DEPARTMENT, THE FIRE DEPARTMENT NEVER APPEARS AT THE SCENE OF A REPORTEDLY POISONOUS SUBSTANCE RELEASE, AND BETWEEN TWO (2) AND FIVE (5) OFFICERS SHOW UP AT THE PLAINTIFF'S RESIDENCE, INCLUDING I. BARRIOZA AND J. ROBINSON, WITH INVOLVEMENT BY K. NILES, B. GAGNON, AND J. REIS, ALL FALL RIVER POLICE OFFICERS.

137. AS DELINEATED ABOVE, A CALL TO 911 FROM PLAINTIFF EDITH KOLTIN REPORTING "SKUNK SPRAY" THROUGH HER WINDOW IS MARKED "PRIORITY 1," WITH OFFICER LISA AHAESE FALSELY REPORTING, INSTEAD, AN IMMINENT HOMICIDE/SUICIDE THREAT. THE COMPLAINANT IS LABELED "50 PMNTL ILL VENT," "REPORTED BY LT. COSTA," AND RESULTING IN "THE CAPTAIN SEC 12[ING] BOTH OF THEM," FOLLOWED BY A VIOLENT AND DESTRUCTIVE FORCED ENTRY BY THE POLICE (NOT NOTED IN THE RECORD FOR POLICE INCIDENT NUMBER 2048203), YET STATING "NO REPORT NEEDED."

THEN, FIFTY-SEVEN (57) DAYS LATER, AFTER THE SAME COMPLAINANT CALLS 911 TO REPORT "A POISONOUS SMELL" SPRAYED INTO HER HOUSE BY THE SAME PERPETRATOR AS BEFORE, THE RECORD ASSIGNS A "PRIORITY 3" TO THE REPORT, STATES "NO REPORT NEEDED," AND THE FALL RIVER POLICE DEPARTMENT REFUSES TO SEND THE FIRE DEPARTMENT AS REQUESTED BY THE COMPLAINANT.

THEREFORE, THE REPORTING OF SKUNK SPRAY RESULTS IN A POLICE BREAKING AND ENTERING, AND A "SECTION 12[ING]" OF THE COMPLAINANT AND HER SON, AND THE DESTRUCTION, VANDALISM, AND LOOTING OF PERSONAL BELONGINGS GENERATED BY A MALICIOUS AND KNOWINGLY FALSE REPORT BY A POLICE OFFICER, THE REPORTING OF "A POISONOUS SUBSTANCE" BY THE SAME COMPLAINANT 57 DAYS LATER BY THE SAME PERPETRATOR, RESULTS IN THE DECISION BY THE FALL RIVER POLICE DEPARTMENT NOT TO ALERT THE FIRE DEPARTMENT AND TO APPEAR AT THE COMPLAINANT'S HOME, DESPITE HER CLEARLY STATED, AND RECORDED, DEMAND THAT THE POLICE STAY AWAY.

138. ON NOVEMBER 20, 2002, WHILE PLAINTIFF THEODORE KOLTIN WAS DRIVING HIS MOTHER, PLAINTIFF EDITH KOLTIN, ON WILLIAMS STREET IN FALL RIVER, A POLICE CRUISER STOPPED THE VEHICLE BY PUTTING ON ITS ROOF FLASHERS. TWO (2) OFFICERS, D. PAQUET AND B. PASTERNAK,

APPROACHED THE PLAINTIFFS' VEHICLE, OPENED THE DRIVER DOOR, PULLED THEODORE OUT OF THE CAR, THREW HIM HEADFIRST INTO THE SIDE OF THE POLICE CRUISER, THEN BROUGHT HIM TO THE TRUNK OF HIS VEHICLE, PUSHED HIS HEAD INTO THE TRUNK OF THE VEHICLE, TIGHTLY HANDCUFFED HIM, AND PROCEEDED TO BEAT HIM WHILE HE WAS DOWN IN HANDCUFFS.

WHEN THE PLAINTIFF THEODORE KOLTIN TRIED TO SCREAM TO ATTRACT THE ATTENTION OF PERSONS IN THE NEIGHBORHOOD, THE OFFICERS FORCED AN OBJECT INTO THEODORE'S MOUTH AND TRIED TO PUSH THE OBJECT DOWN HIS THROAT, UNTIL THEODORE BEGAN CHOKING.

THE OFFICERS THEN ABANDONED PLAINTIFF/MOTHER EDITH KOLTIN, AN OCTOGENARIAN IN THE STREET, THREE (3) MILES FROM HOME,

SAME OFFICERS THEN PUT THEODORE IN THE CRUISER, AFTER SLITTING OPEN WITH A KNIFE, OR KNIFE-LIKE OBJECT, THEODORE'S REAR POCKET OF HIS PANTS.

SAME OFFICERS DROVE HIM TO THE FALL RIVER POLICE STATION, WHERE THEODORE COMPLAINED THAT THE HANDCUFFS WERE TOO TIGHT.

THE OFFICERS RESPONDED BY TIGHTENING THE HANDCUFFS EVEN MORE, CAUSING HIS WRISTS TO BLEED ONTO THE FLOOR OF THE POLICE STATION, CAUSING THE OFFICERS TO EVEN MORE HARSHLY TAUNT THE PLAINTIFF, LOUDLY ORDERING HIM TO STOP MESSING UP THEIR STATION WITH HIS BLOOD.

AFTER THE PLAINTIFF COMPLAINED OF CHEST PAINS, HE WAS AMBULANCED, WITH POLICE ESCORT AT HIS SIDES, TO THE CHARLTON MEMORIAL HOSPITAL IN FALL RIVER, MASSACHUSETTS.

SAME POLICE OFFICERS CHAINED THE PLAINTIFF TO A GURNIEY IN THE EMERGENCY UNIT AND CONTINUED TO TAUNT HIM WHILE NURSES ATTEMPTED TO PERFORM, APPARENTLY, AN EXAM OF THE PLAINTIFF.

139. DURING THE ENTIRETY OF THE PLAINTIFF'S BEING IN POLICE CUSTODY, HE WAS NEVER TOLD, WHEN THE PLAINTIFF ASKED, WHY THEY WERE BEATING HIM, WHY THEY WERE ARRESTING HIM, OR WHY THEY WERE OTHERWISE INFLECTING VERY SEVERE PHYSICAL, PSYCHOLOGICAL, AND EMOTIONAL PAIN/TORTURE ON HIM.
140. THE POLICE OFFICERS FAILED TO READ THE PLAINTIFF HIS RIGHTS, FAILED TO ANSWER WHAT, IF ANYTHING, HE WAS BEING CHARGED WITH, ORDERED THE NURSES AT THE CHARLTON HOSPITAL NOT TO BRING HIM WATER FOR HIS DAMAGED THROAT, ORDERED SAME NURSES NOT TO ALLOW HIM TO USE A PHONE TO CALL HIS LAWYER, AND ORDERED SAME NURSES TO DENY THE PLAINTIFF ANY OF HIS REQUESTS TO EXAMINE HIS ARMS AND WRISTS.
141. THE NURSES ATTENDING TO THE PLAINTIFF REFUSED TO REVEAL THEIR IDENTITIES WHEN THE PLAINTIFF INQUIRED ABOUT SUCH. ONE NURSE SAID TO THE PLAINTIFF THAT THAT WAS NONE OF HIS BUSINESS, ANOTHER RESPONDED THAT THAT WAS AGAINST POLICE ORDERS (WHO NEVER IDENTIFIED THEMSELVES TO THE PLAINTIFF AT ANY TIME), AND ALL OF WHOM TURNED THEIR NAME BADGES AROUND WHEN THE PLAINTIFF TRIED TO READ THE NAMES ON THE HOSPITAL BADGES.
142. APPARENTLY UNDER ORDERS FROM THE SAME TWO (2) POLICE OFFICERS, WHO NEVER LEFT HIS BEDSIDE, THE NURSES PERFORMED DRUG TESTS ON THE PLAINTIFF WITHOUT HIS KNOWLEDGE OR PERMISSION.
143. A PATIENT "CONSENT FORM" WAS FORGED WITH THE PLAINTIFF'S NAME,
144. NURSES APPROACHED THE PATIENT/PLAINTIFF WITH A SYRINGE WITH THE INTENTION OF INJECTING A SUBSTANCE WHICH THEY REFUSED TO IDENTIFY, INTO THE PLAINTIFF, UNTIL THE PLAINTIFF STATED THAT HE HAD ALLERGIES TO MANY MEDICATIONS. THE NURSES BACKED OFF, BUT THEN RETURNED IN A FEW MINUTES AND INJECTED THE PLAINTIFF WITH ATIVAN WITHOUT HIS KNOWLEDGE OR PERMISSION.

145. CHARLTON MEMORIAL HOSPITAL REFUSED, ON MULTIPLE OCCASIONS, TO RELEASE TO THE PLAINTIFF HIS MEDICAL RECORDS TO HIM, IN BLATANT VIOLATION OF STATE AND FEDERAL PATIENTS' RIGHTS LAWS. THE PLAINTIFF, DESPITE FILING ALL PROPER REQUESTS, IS STILL WITHOUT HIS MEDICAL RECORDS FROM THE CHARLTON MEMORIAL HOSPITAL.

146. WITHIN ONE (1) WEEK OF THE BRUTAL BEATING OF THE PLAINTIFF THEODORE KOLTIN BY THE FALL RIVER POLICE OFFICERS, HE WAS PROPERLY EXAMINED AT COASTAL ORTHOPAEDICS, LOCATED ON 235 HANDOVER STREET IN FALL RIVER, MA. SUCH EXAMINATION REVEALED THAT, AS A DIRECT AND PROXIMATE RESULT OF POLICE BRUTALITY INFLICTED ON HIM BY FALL RIVER POLICE OFFICERS D. PAQUET AND G. PASTERNAK, THE PLAINTIFF HAD SUFFERED IRREVERSIBLE LOSS OF RANGE OF MOTION IN HIS ARMS, POSITIVE IMPINGEMENT BILATERALLY, NOTED TENDERNESS ACROSS THE SUPRA-SPINATUS INTO THE DELTOID MUSCULATURE, NOTED TENDERNESS OF THE RIGHT LATERAL EPICONDYLE, ECCHYMOSIS OF THE RIGHT WRIST, NOTED DECREASED SENSATION ALONG THE DORSUM OF THE FIRST WEB SPACE AND OF THE THUMB, LEFT THUMB RADIAL SENSORY NERVE INJURY, AND BILATERAL SHOULDER TENDONITIS/MUSCLE STRAIN. THE PLAINTIFF'S LOSS OF RANGE OF MOTION AND ACCOMPANYING PAIN PERSISTS TO THIS DAY, MORE THAN TWO-AND-ONE-HALF (2 1/2) YEARS AFTER THE POLICE BRUTALITY INCIDENT OF NOVEMBER 26, 2002.

147. IN EVEN MORE RECKLESS AND OUTRAGEOUS VIOLATION OF STATE AND FEDERAL LAWS, THE FALL RIVER POLICE DEPARTMENT PERPETRATED THIS PERMANENT PHYSICAL, PSYCHOLOGICAL, AND EMOTIONAL DAMAGE ON A PERSON WHOM THEY (THE FALL RIVER POLICE DEPARTMENT, D. PAQUET, G. PASTERNAK, CHIEF JOHN SOUZA, AND OTHERS KNEW, OR SHOULD HAVE KNOWN, WAS ALREADY DISABLED BY EXTREME ANXIETY.

By THE PLAINTIFFS,

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DATE: JUNE 24, 2005